



## COMMERCIAL BOARD OF ADJUSTMENT DECISIONS

Wednesday, September 5th, 2012

10:00 AM

1000 Throckmorton

City Council Chamber

2<sup>nd</sup> Floor – City Hall

Fort Worth, Texas 76102

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*09/07/12*

### BOARD MEMBERS:

Dan Moore  
Ronald Sherear (Alternate)  
Wendy Vann Roach  
Gene Miers  
Norris Fletcher  
Jake Petras  
Carl Logan (Alternate)  
Michael Wellbaum, Chair  
James Hill  
Johanna McCully-Bonner, Vice Chair  
Shirley Bryant (Alternate)  
Marlene Beckman

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**I. 9:00 A.M. WORK SESSION**

**Pre-Council Chamber**

**A. Review of Cases on Today's Agenda**

**II. 10:00 A.M. PUBLIC HEARING**

**Council Chamber**

**A. Approval of Minutes of August 1<sup>st</sup>, 2012 Hearing**

**APPROVED**  
**6-0-3**

**B. Cases on Today's Agenda**

**III. 12:00 P.M. LUNCH AND STAFF BRIEFING**

**Pre-Council Chamber**

**A. 1:00 P.M. CONTINUATION OF PUBLIC HEARING**

**Council Chamber**

### **ASSISTANCE AT THE PUBLIC MEETINGS:**

The Fort Worth City Hall and Council Chambers are wheelchair accessible. Access to the building and special parking are available on the south side of the City Hall building to the south of Texas Street. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers or large print, are requested to call 817-392-8026, FAX 817-392-7985, or call TDD 1-800-RELAY-TX at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

### **Executive Session:**

A closed Executive Session may be held with respect to any posted agenda item to enable the Commission to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



**A. Continued Cases:**

1. **BAC-12-082** **Jose & Francis Sanchez by Gregory Gaucin** **CD2**  
3402-3408 NW 28<sup>th</sup> St.
- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of an auxiliary parking lot.  
**APPROVED 7/2**
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an auxiliary parking area that encroaches approximately five (5) feet into the required five (5) feet rear yard setback, creating and approximate zero (0) foot rear yard setback.  
**DENIED 7/2**
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an auxiliary parking area that encroaches approximately five (5) feet into the required five (5) feet side yard setback, creating and approximate zero (0) foot side yard setback. **STIPULATING NORTH PROPERTY LINE OF LOT 20.**  
**APPROVED 7/2**
- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the auxiliary parking area encroaching approximately twenty (20) feet into the required twenty (20) foot front yard setback, creating an approximate zero (0) foot front yard setback.  
**APPROVED 7/2**
- e. Request a **VARIANCE** in an "A-5" One-Family District to permit the auxiliary parking without providing the required landscaping.  
**DENIED 7/2**
- f. Request a **VARIANCE** in an "A-5" One-Family District to permit the parking spaces without providing hard surfaced parking area.  
**APPROVED 7/2**
- g. Request a **VARIANCE** in an "A-5" One-Family District to permit the parking without providing the required screening fence.  
**APPROVED 7/2**

**B. New Cases:**

1. **BAC-12-081** **TO BE HEARD ON OCTOBER 3, 2012**
2. **BAC-12-088** **Lancaster Center LLC by George Nessingen** **CD5**  
5601 E Lancaster Ave
- a. Request a **SPECIAL EXCEPTION** in a "F" General Commercial District to permit the installation of a clothing and house hold goods collection kiosk. **STIPULATING MOVE CONTAINER BETWEEN DRIVEWAY ENTRANCES.**  
**APPROVED 9/0**



3. **BAC-12-089**                      **Great Commission Baptist Church by Randy T. Davis**                      **CD6**  
7700 Mc Cart Ave
- a. Request a **SPECIAL EXCEPTION** in a "C/PD-2(E)" Medium Density Multifamily-Planned Development District to permit a temporary outdoor amusement for a period of two (2) days from September 29-30. **STIPULATING EVENT END BY 10:00 P.M. EACH NIGHT.**
- APPROVED 8/1**
4. **BAC-12-090**                      **Fort Worth Area Habitat for Humanity by Christine Panago**                      **CD5**  
4421 Kellis St
- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the construction of a new residence that encroaches approximately twelve feet six inches (12'6") into the required twenty five (25) foot projected front yard, creating and approximate twelve foot six inch (12'6") projected front yard.
- APPROVED 9/0**
5. **BAC-12-091**                      **Roger & Ruth Brasser by Dave Kirk**                      **CD4**  
7420 North Beach St
- a. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of a telecommunications tower that is approximately one hundred (100) feet in height instead of the allowed sixty (60) feet, excessive by approximately forty (40) feet in height.
- CONTINUED TO OCTOBER 3, 2012 8/1**
- b. Request a **VARIANCE** in a "G" Intensive Commercial District to permit the installation of a telecommunications tower that is approximately two hundred eighty five (285) feet from a one family zoning district instead of the required five hundred (500) feet, deficient by approximately two hundred fifteen (215) feet.
- CONTINUED TO OCTOBER 3, 2012 8/1**



6. **BAC-12-092** **Willbanks Metals Inc. by James Schell** **CD2**  
3200 N Crump St
- a. Request a **SPECIAL EXCEPTION** in an "A-5" One-Family District to permit the continued use of an offsite auxiliary parking area.  
**CASE NOT HEARD DUE TO NOTICING ERROR**
- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an offsite auxiliary parking area that encroaches approximately twenty (20) feet into the required twenty (20) foot required front yard, creating an approximate zero (0) foot front yard.  
**CASE NOT HEARD DUE TO NOTICING ERROR**
- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an offsite auxiliary parking area that encroaches approximately ten (10) feet into the required ten (10) foot side street yard setback, creating an approximate zero (0) foot side street yard.  
**CASE NOT HEARD DUE TO NOTICING ERROR**
- d. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an offsite auxiliary parking area that encroaches approximately twenty (20) feet into the required twenty (20) foot Public Open Space Easement (P.O.S.E.), creating an approximate zero (0) foot Public Open Space Easement.  
**CASE NOT HEARD DUE TO NOTICING ERROR**
- e. Request a **VARIANCE** in an "A-5" One-Family District to permit the continued use of an offsite auxiliary parking area without providing the required screening fence.  
**CASE NOT HEARD DUE TO NOTICING ERROR**
7. **BAC-12-093** **A New Home 4 U Inc by Michael Morris** **CD7**  
5636 Fletcher Ave
- a. Request a **SPECIAL EXCEPTION** in a "B" Two-Family District to permit the continued operation of a day care center for fourteen (14) children.  
**APPROVED 9/0**
8. **BAC-12-094** **RLM Properties LLC by Joshua Boschee** **CD2**  
4600 Golden Triangle Blvd
- a. Request a **SPECIAL EXCEPTION** in a "G" Intensive Commercial District to permit the construction of car wash facility.  
**APPROVED 9/0**
9. **BAC-12-095** **Victron Energy by Michael A. Hunter** **CD6**  
12400 South Freeway
- a. Request a **SPECIAL EXCEPTION** in a "K" Heavy Industrial District to permit the installation of an electronic changeable copy sign on an existing freeway sign. **STIPULATING TIED TO SITE PLAN.**  
**APPROVED 9/0**



**10. BAC-12-096**

**Catholic Diocese of Fort Worth by Rev Jeff Poirot**  
6150 Pershing Ave.

**CD7**

- a. Request a **VARIANCE** in an "A-5" One-Family District to permit the installation of an un-illuminated detached sign that is approximately seven (7) feet in height instead of the allowed six (6) feet, excessive by approximately one (1) foot in height.

**APPROVED 9/0**

- b. Request a **VARIANCE** in an "A-5" One-Family District to permit the installation of an un-illuminated detached sign that is approximately one hundred (100) square feet in area instead of the allowed thirty (30) square feet, excessive by approximately seventy (70) square feet in area.

**APPROVED 9/0**

- c. Request a **VARIANCE** in an "A-5" One-Family District to permit the installation of an un-illuminated detached sign that encroaches approximately eight (8) feet into the required ten (10) foot setback, creating an approximate two (2) foot setback along Pershing Ave.

**APPROVED 9/0**

**11. BAC-12-097**

**Betty J GS Trust by Jeffery Treadwell**  
3604 Lafayette Ave

**CD7**

- a. Request a **VARIANCE** in an "E" Neighborhood Commercial District to permit the construction of an auxiliary parking lot that encroaches approximately twenty (20) feet into the required twenty (20) foot supplemental setback when adjacent to a residential district, creating an approximate zero (0) foot supplemental setback.

**CONTINUED TO OCTOBER 3, 2012 9/0**



**12. BAC-12-098**

**Roanoke 35/114 Partners LP by William Boecker**  
15350 & 15360 FM RD 156, 1 & 2560 State HWY 114

**CD2**

- a. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the installation of a non illuminated real estate sign that is approximately five hundred nineteen (519) square feet in area instead of the allowed sixty (60) square feet in area, excessive by approximately four hundred fifty nine (459) square feet in area.

**APPROVED 9/0**

- b. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the installation of a non illuminated real estate sign that is approximately nineteen (19) feet in height instead of the allowed eight (8) feet, excessive by approximately eleven (11) feet in height.

**APPROVED 9/0**

- c. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the installation of four (4) non illuminated real estate signs that are approximately one hundred fourteen (114) square feet in area instead of the allowed sixty (60) square feet, excessive by approximately fifty four (54) square feet in area.

**APPROVED 9/0**

- d. Request a **VARIANCE** in a "K" Heavy Industrial District to permit the installation of four (4) non illuminated real estate signs that are approximately fifteen feet nine and one half inches (15'9 ½") in height instead of the allowed eight (8) feet, excessive by approximately seven feet nine and one half inches (7' 9 ½") in height.

**APPROVED 9/0**

**13. BAC-12-099**

**Opening Doors for Women In Need by Sandra Stanley**  
3600 Horne St

**CD7**

- a. Request a **VARIANCE** in an "E" Neighborhood Commercial District to permit the construction of a second floor addition that encroaches approximately six feet three inches (6'3") into the required twenty (20) foot setback creating an approximate thirteen foot nine inch (13'9") setback along Horne St.

**APPROVED 9/0**

**14. BAC-12-100**

**A-S 104 Timberland Town Center by Willow Creek Signs**  
12584 N Beach St

**CD2**

- a. Request a **VARIANCE** in a "PD-855/E" Planned Development/Neighborhood Commercial District to permit the installation of an illuminated attached sign that is approximately thirty seven and one half (37 ½) square feet in area instead of the allowed twenty three and one quarter (23 ¼) square feet in area, excessive by approximately fourteen and one quarter (14 ¼) square feet in area.

**APPROVED 9/0**

**IV. ADJOURNMENT: 2:22 P.M.**